App. F. IX-4

1946.
(C.B.

Pol. No. 29-46.
Sl Nos. 1

Previous References.
Z.M. 33- 45 - 1.
C.B. 127- 45 - 1 (c.c. 19 of 45)

Later References.
C.B. 29- 46- 2.

GENERAL AND RE'

Serial Nos. One.

Part B for July 1946.

SUBJECT

Appointment of a Special officer, designated as "Director, Efficiency Audit."

G.O. No 52-112. 4th July 1946.

Sanctions the ——

To

The Heads of Depts.
The Deputy Commissioners of Dists.
The Compiler, Mysore Gazette.

Copy to the Comptroller to Govt. thro Finl. Asst with the intimation that the Salary of Sri J. Appaji Gowda, Director, Efficiency Audit, will be Rs. 1,600 — 50/1 — 1,700 p.m.

The Pay Table.

Manager Treasury
26. 7. 46

Serial No.

The tabular statement of recommendations prepared in the G. M. Branch, containing office notes showing views of the recommendations is obtained as per index, and sent up.

After decisions are taken, they will be further worked up and published.

PL
25.3.46

The proposals are of a far-reaching character, and affect several spheres.

Re: Statutory measures, the question may be referred to the Legislative Section for drafting of suitable amendments to the law — after the general ~~[illegible]~~ lines of revision are scrutinised on the administrative side and a decision is reached regarding the nature & extent of the changes that may be made.

A very elaborate organisation is proposed involving the appointment of a high-ranking officer (above the Status of an ordinary Head of Dept), with two

NOTE—Contn. Sheet.

Recommendations of the Anti-Corruption Investigation D?

Treasury Branch

File No. of 194 . General and Revenue Secretariat

Serial No.

Assistants of the rank of Dy Comrs, and suitable subordinate establishment. The ~~re~~ institution of a regular system of Efficiency Audit is also suggested in this connection. ~~Before the~~ After a general decision is reached regarding the Special organisation to be created, ~~its~~ the Scope of its functions and its relations with Other Departments etc, details may perhaps be worked out.

Revision of Scales of pay of subordinate establishments in various departments so as to give them a living wage, is one of the measures proposed. This is a large question the financial implications of which have to be worked out and further action taken in the Fin. Secrett.

Several amendments to Govt. Servants Conduct Rules etc have been proposed also.

~~Each of the points~~ The several points have been tabulated in the Statement put up, for recording views in respect of each of them.

Edn Secy. 25/3

EDUCATION SECRETARY No. L(89) Date 25/3

made by the committee, it would be possible to arrive at final decisions within very immediate future - say within a month or two. As a matter of fact some of the legislative measures proposed involve amendments of the Criminal Law which can only be passed after Indian members. Under the circumstances, it does not appear wise to postpone the publication of the report until we receive from final views on each point raised by the committee.

Apart from this, another point would be that it would be useful to elicit public opinion on the recommendations of the committee.

The other provinces

Two points emerge from a perusal of the report of the Anti-corruption measures investigation Committee which appear to demand immediate attention.

The first is regarding the desirability of publishing the report. Several persons, whose correct name and ranks have already appeared in the press (though it is difficult to ascertain how the information leaked out) and it appears desirable to make public curiosity by publishing the report. The only question is as regards the stage at which this may be done. Because they may be dealt in the report may be punished with the punishment provided under the Act or not. I do not think, however, that considering the fact that the

provincial governments have published which have adopted the Canadian procedure in respect of the recent problems have published the report of their respective Committees.

With the approaching sessions of the Representative Assembly a good deal of interest will be created in the House of the House regarding the report of our Committee: And with a holding of possibilities of it may arouse unfavourable comment.

Under the circumstances I would suggest immediate publication of the report of the Committee, a copy of it being placed on the Press table forthwith.

The Secretary in regard to the appointment of a Special Officer

for Efficiency Audit and Anti Corruption measures as recommended in para 139 of the Report of the Committee. The existence of corruption in varying degrees in several of the departments being admitted, it becomes ipso facto necessary to devise some special agency to deal with the problem. There is, no doubt, some risk of a good portion of the corruption in the course of war conditions which necessitated measures of control involving demolition of wide powers on many subordinate officials and thereby naturally increased opportunities for corrupt practices. The anticipation however that with the close of the war these conditions would disappear has not proved correct and it is likely that control measures have to stay on for quite some time more.

It is not altogether unlikely, either that the acute food scarcity prevailing which is looming in the horizon or lack of some district officials may give scope for corrupt practices to some unscrupulous officials which have to be put down with a ruthless hand in the public interests. Under these circumstances a special Agency has to be created for dealing with this situation which will also serve to operate a system of efficiency audit on the widely extended lines indicated by the Committee. The Suggestion is that an officer with a status above that of a Head of a Department and Head of a Ministry and drawing a salary between Rs 1500/- Rs 1800 may be appointed for this responsible and important post. The Committee have also suggested that the appointment should not be made with reference to mere seniority

but with reference to Special merit and to integrity and capacity for the kind of work that is to be undertaken.

The question then would be: When should this office be appointed? Should one be put on the job straightaway or should it be after Govt have finally made up their mind on all the points raised ~~before~~ by the Committee? The Balance of advantage seems to be ~~all~~ in favour of the former alternative. For one thing it would be, ~~Committee~~ Guinea after the anxiety which governments have always evinced to maintain the purity of the Services if ~~they~~ it made an immediate decision on what is probably the most important of the recommendations of the Committee.

In the second place governments have already committed themselves to a

a sympathetic consideration of the question of revising the system of efficiency audit, which fell into desuetude some years back. The committee have felt that such an audit should have a ~~much~~ wider scope than was contemplated at the time when it was first instituted if it is to be of real benefit in streamlining the administration: and have suggested in para 162 what the duties of the efficiency audit officer under the new system would be. Her suggestions have to be examined in detail: should it ~~be~~ be undertaken by a special Agency.

On the anti-conception side also it would appear absolutely necessary to have at once the services of a senior officer who could devote himself to ~~work~~ examining and working out in detail the recommendations of the committee many of

(9)

After discussion the two points raised above are agreed, the other recommendations of the Committee will be examined in detail.

Rewan
Mrs
Chifkey
Financial Secy

Gdh.
26/3/46

WA
30/3/46.

I agree with the Education Secretary.

The Committee have suggested "that the pay and emoluments of the subordinate ranks in the public services require re-examination with a view to giving them at least a living wage". They also suggest "the desirability of making a general investigation into the adequacy or otherwise of scales of pay and allowances of subordinate staff and specially point out the need for -

(a) providing suitable Government quarters for, or paying suitable house-rent allowances, to Government servants up to a certain grade or pay; and

(b) increasing the rates of allowance for tours and transfers or at least paying the actual expenses incurred, so that those concerned may not be out of pocket as a result of undertaking necessary tours and transfers in public interest."

In clause (xiv) they suggest that a system of audit independent of the Executive Government be instituted to scrutinise Post-war expenditure with a view to avoid

avoid leakages etc. These suggestions of the Committee require also to be pursued.

B
8/4

So far as the publication of the Report is concerned, the Cabinet has agreed on the following procedure:

"The Report may now be published and the Government's recommendations dealt with in a White Paper".

Action to publish the Report will therefore be taken after the Cabinet)

CRD
8/4/46.

Yes. The major Cabinet proposals may be considered at a meeting of the

1) Take action to publish the Report. MM 9/4/46.

Action taken separately

2) Put up CP on the subsequent proposals.

CRD
9/4

Re. 2)
A note for circulation is below

B
13/4/46

Submitted both a circulation Memo.
B
15/4/46.
11 A.M.
16/4/46

CRD
16.4.46

Cabinet
13/4/46

CRD
13/4/46

CRD
13/4/46
15/4

General and Revenue Secretariat | File No. | of 194 .

Serial No.

1146/1618

Director, Efficiency Audit

The question of appointing an Officer for the post of Director Efficiency Audit, in succession to Mr. J. Appaji Gowda, is for orders.

C.P. Ramaya
16/8/46

Chief Sy)

This may perhaps be decided at Council meeting on Wednesday the 21st inst.

Dewan) WD 16/8/46

Please put up the case that resulted in the post being created.

ADH
17/8.

WD
19/8/46.

The post of Director, Efficiency Audit was created in pursuance of the recommendations of the Anti-Corruption Measures Enquiry Committee.

The following papers are put up for reference:- (1) A copy of the Report of the Committee
(2) C.B. Cotter. no 29-46-1, & the G.O. creating the post
(3) C.B. 29-46-2 containing the

NOTE—Contn. Sheet

will be to detect and investigate specific cases of corruption in all departments and take further action, to keep close watch generally over Government servants and in particular over those with an unsavoury reputation.

(4) For investigation of cases, the jurisdiction of this Special Agency and of the Heads of Departments will be concurrent. The Anti-Corruption department while having inhenent power to take up any case of any department at any stage, will in practice investigate only cases which the Special Officer considers should be investigated by his staff exclusively.

(5) The Anti-Corruption Officer to have power to call for returns of assets of officers (in Banks, Shares etc) and of their dependants or near relatives, and of debts and liabilities. Also to search for and seize property suspected to have been acquired by corrupt means.

(6) The pay and emoluments of subordinate ranks to be re-examined so as to give them at least a living wage; ~~in certain cases~~ the provision of suitable Govt. quarters, increased travelling allowance for tours etc, are suggested.

3. The amendments to the law suggested by the Committee provide for making certain offences cognisable, shifting onus of proof from the prosecution to the accused in certain cases etc.

4. The Dewan has ordered that the major proposals may be considered at a meeting of Council.

---

gr 11/10/54

For Disposal at a meeting.

No. C. 852

..... 9 ... 1945/46

GENERAL AND REVENUE SECRETARIAT

COUNCIL MATTER

Subject:—

Recommendations of Anti-corruption Measures Investigation Committee.

Circulated to the Council of Ministers.

By Order,

16th April ..... 1946.

Chief Secretary to Government.

17/4 Minister for Revenue.

Minister for Agriculture.

Minister for Education & Public Health.

Minister for Law.

Minister for Public Works.

C.B.

WO

Subject:-

Recommendations of the Anti-Corruption Measures Investigation Committee.

Instns in Council :- (23/5/46)

The statutory measures recommended by the Commrs, may be examined in the Law Sect!

} (A)

I.G.O. re the creation of a Suitable agency re. Efficiency Audit & Anti-Corruption Sections will be put up for further Comns.

WO

Extract re: A sent to the Education Secy. for needful action.

27/6/46 The file is resubmitted for orders re. the drafting of the G.O.

WO

(Secret) 27/5/46.

Draft G.O. prepared & submitted

Secret

Law Secy

WO 26/6/46

WO 26/6/46

May be queries circulated + put up as
a final note by the Minister

26/6/46.

Circular

26/6/46.

For Disposal by circulation.

No. C. 1244

.....(J.1945-46-

GENERAL AND REVENUE SECRETARIAT

COUNCIL MATTER

Subject:—

Proposal to sanction the appointment of a Special Officer with the designation " Director, Efficiency Audit".

Circulated to the Council of Ministers.

By Order,

.....27th June.....194 6.

Chief Secretary to Government.

27/6/46

Minister for Revenue. 27/6/46.

~~Minister for Agriculture.~~

Minister for Education & Public Health. 27/6/46

Minister for Law. 27/6/46.

Minister for Public Works. 27/6/46.

Minister for Agriculture (Seen) In favour of putting up a final Note.

Min, Agri) 27/6/46.

D.P.W. pumps

M.V. H.(W) [illegible]

28/6

OFFICE [illegible]
FOR [illegible]
JUN [illegible]
No. 8243.

Copies of D.V.R. (signed) are placed below.

28/6

[illegible]

28/6/46

Dewan) [illegible]

29/6

Submitted to His Highness

I submit herewith a Final Note by the Minister for Agriculture on the proposal to sanction the appointment of a Special Officer designated "Director, Efficiency Audit" on a salary of Rs.1,600-50-1700, for the gracious approval of His Highness.

M. Visvesvaraya

DEWAN.

Bangalore,
30th June 1946.

Final Note by the Minister for Agriculture.

Subject—

Recommendations of the Anti-Corruption Measures Investigation Committee.

In response to repeated representations made in the two Houses of Legislature and elsewhere and with the gracious approval of His Highness, a Committee was constituted with Sir Albion Rajakumar Banerji C,S.I.,C.I.E., as Chairman, to examine the desirability of taking further steps for putting down corruption in the public services. The Committee have gone exhaustively into the question and have submitted a report covering all aspects of the matter.

The measures recommended by the Committee are of two categories statutory and administrative. The most important under the former are:-

1) Making offences under sections 161, 164 and 165, Indian Penal Code, cognisable.

2) Shifting the burden of proving innocence on to the accused,

and 3) amendment of the penal provisions of sections 161, 164, and 165 of the Indian Penal Code to permit the imposition of additional fine at least equivalent to the amount obtained by means of this offence.

Among the administrative measures recommended, the most important is the creation of the post of a Special Officer for efficienc audit and anti-corruption measures for a period of five years in the first instance on a pay of Rs.1,500 - 1,800 per mensem. This officer is proposed to have two branches working under him - one an Efficiency Audit Branch and the other an Anti-corruption Branch,-each of which is t be under the immediate charge of an officer of status not less than that of a Deputy Commissioner. The Committee have also indicated the duties to be performed by the Special Officer on the side of efficiency audit and anti-corruption measures and have proposed to invest him with the powers mentioned in paragraph 144 of the Report.

The other important suggestions made by the Committee are the following:-

1) Investigation into the pay and allowances of the subordinate

ranks in the public services.

2) Formation of Central and District Vigilance Committees, and

3) the creation of an Audit Department, independent of the executive Government to scrutinise postwar expenditure with a view to avoid leakages.

Most of the recommendations involve drastic changes both in law and practice which require careful investigation.

The recommendations were considered by the Council of Ministers on 23rd May 1946, when instructions were issued to have the statutory measures recommended by the Committee examined in the Law Secretariat and to draft an order regarding the creation of a suitable agency for efficiency audit and anti-corruption sections.

It is proposed to set up immediately an agency which will be in charge of a system of efficiency audit and of anti-corruption measures and to sanction the appointment of a Special Officer designated "Director, Efficiency Audit" on a salary of Rs.1600-50-1700. A draft Government Order which has been put up accordingly was, with the approval of the Dewan, circulated to all the other Ministers, and they have agreed to it.

I solicit His Highness' gracious sanction to the proposal to appoint the Special Officer immediately.

M V Krishnaiengar

Bangalore,
28th June 1946.

FOR AGRICULTURE.

Record of Cases submitted for the Orders of His Highness the Maharaja.

No 1086
30.6.46

Subject.

Proposal to sanction the appointment of a Special Officer designated "Director, Efficiency Audit" on a salary of Rs.1,600-50-1,700/-.

No. 1086

Order.

HN
2/7/46

Heads will issue
Trans & send
to Secy

417

4/7/46

4/7/46

MP
4/7/46

General and Revenue
Secretariat.

351

SUBJECT:—

Proposal to sanction the appointment of a Special Officer designated "Director, Efficiency Audit" on a salary of Rs.1,600-50-1,700/-.

Circulated to Council of Ministers for perusal of His Highness' orders ~~before~~/after issue of orders.

Veeraraghavan
Chief Secretary to ~~Government~~.
9/7/46

Through the Secretary to Government,

Education.....Department.

351/10/7/46 1. Minister for Revenue. 11/7/46.

343/11.7.46 2. Minister for Education & Public Health. 11/7/46

315 3. Minister for Law. 13/7/46.

4. Minister for Public Works. 15/7

282/10.7.46 5. Minister for Agriculture. 10/7/46

Eon Secy 24/7/46

NOTE.—Contn. sheet

24/7/46

Serial No.

Draft G.O. passing orders on the report of the Anti-Corruption Measures Investigation Committee

For perusal

Fin Dy

QR 6/7

B 6.7

(Draft re. appn of Mr J. Appaji Gowda as Director, E.A, also perused by Fin Dy)

QR

Transcription of GoMs 2-1-2 29-46-1 dy 4-7-46 on passing order, the report of Anti-Corruption Measures Investigation Committee and two covers Notfn No 114/CB29-46-2 dy 4-7-46 re: Appointment of Director of E. A as put up for communication thro H Secy.

H Secy.

CS 8/7/46

H Secy.

8/7/46

Addl Secy to Govt. (2G-GS)

Draft-fair file.

Secy 8/7/46

Secy 8/7

Secy 8/7

NOTE—Contn. Sheet.

and Revenue
Secretariat

CHAPTER V.

Recommendations.

138. **Statutory Measures.**—Under statutory measures we suggest the following:—

(i) offences under Sections 161, 164 and 165, Indian Penal Code, should be made cognizable. As a matter of precaution the police officer taking cognizance of there offences should inform confidentially the Head of the Department in which the suspected official is working, if he is an officer of a non-gazetted rank, and the Government in other cases, of the fact of having started the investigation within 24 hours of doing so; and in addition, submit his report to the Magistrate having local jurisdiction, under Section 158 (1) of the Criminal Procedure Code, through the Anti-corruption Deputy of the Special Officer referred to in para 139 *infra*, who will be authorised by Government in this behalf by a special order.

(ii) the Law should be so amended as to provide that when money or other gratification has passed between a public servant and a member of the public with whom he has any official relation, the onus of proof that the gift or offer was innocent is on the accused under Sections 161, 164 and 165, Indian Penal Code, and not on the prosecution;

(iii) the penal provisions of Sections 161, 164 and 165 should be so amended as to impose additional fines at least equivalent to the amount obtained by means of the offences;

(iv) the fact that any person charged under Sections 161, 164 and 165, Indian Penal Code, is in possession, for which he cannot satisfactorily account, of property or pecuniary resources disproportionate to his known sources of income, may be proved and taken into consideration as a relevant fact in deciding whether he is or is not guilty of the offences charged; and

(v) the above special provisions should be made applicable to the trial of all cases under Sections 161, 164 and 165, Indian Penal Code, which may have occurred since 1st January 1939 and investigated or brought to light after that date.

As the ordinary process of legislation is likely to take a long time and it is expedient that the proposed changes should be enforced with the least possible delay, we recommend that the above amendments of the Law be brought into effect speedily by means of an Emergency Act under Section 31 of the Government of Mysore Act.

... 161. 164 and 165 of the

(iv) His duties re Efficiency Audit.

142. The duties of the Special Officer on the Efficiency Audit side will be as follows:—

(i) to study the system and methods of work in the several departments in the State with reference to

the departmental Manuals, Standing Orders, etc., and to bring the latter up-to-date so as to be in accordance with the latest standards of administration;

(ii) to conduct frequent and surprise inspections of the various departmental officers including those of Heads of Departments, for ensuring compliance with Rules and Standing Orders, and securing prompt disposal of papers, and to bring to notice lapses for suitable action;

(iii) to review and revise, if necessary, the rules regarding regular periodical and surprise inspections so as to make them more stringent and conform to present-day complicated routine of Government;

(iv) to examine the nature and extent of the executive powers exercised at present by subordinate officials and officers of the several departments such as Excise, Forest, Public Works, Railways, Income-tax, Revenue, Food and Civil Supplies, etc., and to suggest ways and means of preventing the misuse of such powers, keeping in view the need for adequate decentralization of powers; and

(v) to conduct test audits of Revenue on the lines of the Revenue Audit System formerly in vogue, with a view to detect and to remedy leakages of revenue in all revenue-yielding departments.

Office Note

1) Efficiency Audit

This is for kind consi
along with the proposal f
the appointment of Special
Officer and his duties

office Note.

(v) Anti-corruption Branch.

This is for kind consid
along with the proposal f
the appointment of Spec
officer etc.

143. The duties of the Anti-corruption Branch will be as follows :— (v) His work on the Anti-corruption side.

(i) to detect and investigate specific cases of corruption in all departments of the State and take further action;

(ii) to keep close watch generally over Government servants, including those lent to Joint-stock companies or persons appointed to such companies, and, in particular, over those with an unsavoury reputation.

For the investigation of cases, the jurisdiction of this Special Agency and of the Heads of the Departments will be concurrent. The latter will, as heretofore, deal with cases of corruption coming to their notice according to rules; the Anti-corruption department, while having the inherent power to take up any case of any department at any stage, including cases of Government servants lent to Joint-stock companies or persons appointed by Government to such companies in the State, will in practice investigate only cases which the Special Officer considers should be investigated by his staff exclusively. (a) Jurisdictions *re*: investigation of cases.

Office Note

These are for consideration along with the proposal for the appointment of Special officer etc.

(b) Powers in the course of investigation and generally.

144. In carrying out the above duties the Anti-corruption office is recommended to have the following powers :—

(i) power to call for returns from officers of assets such as bank accounts, shares, investments, insurance policies, etc., especially of years 1939 to 1946, held by them or their dependants or near relatives and, where there is suspicion of chronic indebtedness, to call for statements of debts and liabilities ; and

(ii) to search for and seize property suspected to have been acquired by corrupt means.

145. In order to keep this office informed of all cases of corruption being dealt with at anytime and to enable it to watch their disposal, the Heads of Departments or other officers concerned should send intimation to that office as soon as a case is taken up for investigation and also send quarterly returns of cases dealt with to enable the said office to submit to Government a review regarding their disposal.

and (c) procedure after investigation.

146. The procedure to be adopted by the Anti-corruption office after the stage of investigation is over will be as below :—

(a) In cases in which the Head of the Department concerned is competent to pass final orders, the records will be forwarded to him for disposal except where, for special reasons to be recorded in writing and with the approval of the Dewan, the Special Officer conducts the enquiry himself, in which case the records will be submitted to Government for orders with his findings. In cases referred to him, the Head of the Department concerned will, after disposing of the case within a prescribed time-limit, send a copy of the order passed to the Special Officer, who, if he considers the decision wrong or perverse or inadequate, will submit the case to Government for orders with his remarks ; or

in cases where the Head of the Department concerned is not competent to pass final orders, the enquiry will be conducted, according to rules, by the Special Officer himself and the records submitted to Government direct for orders with his findings and recommendations.

B. Other Administrative measures :

(i) Compulsory half-yearly property returns.

147. The other measures of an administrative character which we would recommend are these :

Firstly, Government should compel Public Servants (other than menials) to furnish all relevant information with regard to their property such as bank accounts, shares and other investments, insurance policies, immovable property held or acquired by them or transferred by them to their dependants or others, on pain of dismissal if suppressed or when incorrect particulars are furnished. These returns should be half-yearly in prescribed forms. It would not be too drastic a measure to make false returns liable for prosecution like Income-tax returns or to make them relate to the years subsequent to 1st January 1939.

Office Note

according to the existi

16A 22 and 23 of Govt. servan

Conduct Rules, Govt. ser

are not to acquire immo

property without obtai

competent sanction. Each

Govt. servant or can

for Govt. service must m

the Govt through the usu

channel, a declaration of

immovable property held

acquired by him from

to time or held and ma

by his wife and dependa

the deputy commissioners

Heads of Departments are

maintain registers in f

form of all lands he co

themselves and their s

wives. But the present p

contemplates compelling gov

to furnish information

bank accounts, shares et

the immovable property h

by them to their dependan

others.

Secondly, the rules regarding departmental enquiries in regard to cases of bribery and corruption should be recast so as to make enquiries speedy. The gradation of officers to make enquiries should be clearly specified.

(ii) Recasting Enquiry Rules.

Thirdly, the pay and emoluments of the subordinate ranks in the public services require re-examination with a view to giving them at least a living wage. We suggest the desirability of making a general investigation into the adequacy or otherwise of scales of pay and allowances of subordinate staff and would specially point out the need for—

(iii) Investigation into adequacy of pay and allowances.

(a) providing suitable Government quarters for, or paying suitable house-rent allowances to, Government servants up to a certain grade of pay; and

(b) increasing the rates of allowance for tours and transfers or at least paying the actual expenses incurred, so that those concerned may not be out of pocket as a result of undertaking necessary tours and transfers in public interest.

Office Note.

Paras 231 and 232 of
Manual of general circulars
and standing orders, part I
relate to transfer of
servants.

Rules 13 to 31 of Govt
servants conduct Rules
at preventing them from
acquiring local interests

Fourthly, we make the following subsidiary suggestions as helpful:— (iv) Miscellaneous measures.

(i) The rules of transfer should be so framed and operated that while a Government servant is prevented from acquiring local interests he is at the same time not subjected to undue hardship by transfers to distant places except for special reasons, especially in the case of lower subordinates;

(ii) Government officers should be strictly forbidden to obtain commodities through their subordinates in the course of their tours and the practice of obtaining free supplies should be severely dealt with;

Paras 768 and 769 of
Manual of general circulars
Standing orders, part I, c
rules relating to supplies
touring officers. Para
lays down that every touring
should see personally that
supplies required are duly
Kind reference is also in
to a confidential circular
on 18-9-1945 in this con

(iii) confidential reports by superior officers about their subordinates should contain specific information as to their character and conduct even though no definite evidence of corrupt practice is available, and also about the property owned or acquired by them and the extent of indebtedness, if any. Suitable disciplinary action should be taken in cases of adverse reports for three consecutive years;

Office Note

Kind reference is invited to para 404 of the manual of General circulars and Standing orders, part I re: the submission of confidential reports on work of officers. It will be seen from the forms of confidential reports contained in Appendix 13 of part II of the above Manual that explicit reference to character and conduct is not made in all the forms. Only reports to Amildars, Asstt. Comrs., Supdts of police, professors of Medical Surgeons etc. contain references to character. The present practice is to include specific information as to character and conduct also about the property.

According to the O.M. dated 4-4-1942 in the character roll of officials the entries should be made once a year.

In the confidential circular dated 23-12-1943 it is clearly stated that confidential enquiries about the conduct of subordinate officers should be made.

(iv) Deputy Commissioners and other executive officers should mention in their diaries and journals the number and nature of surprise inspections conducted by them and the results. Heads of Departments also should report to Government once in a quarter the nature and the results of surprise inspections held by them;

Paras 8
of General
standing
rules relat
of monthly
of Depts.
rules rela
mission of
cutive au
The forms
diaries ar
Appendice
the Manual

X. D. In February 1945 a circu
was issued calling for the regu
submission of the monthly
journals by the Heads of Dep

X. E. In a confidential circu
issued in December 1943 it w
instructed that surprise ins
should be done.

(v) all the existing Rules and Standing Orders regarding the conduct of Government Servants and other anti-corruption measures should be embodied in a booklet to be prescribed as a compulsory subject for all departmental examinations;

This is for kind
consideration.

Office note.

(vi) public servants should be enjoined to report at once to the immediate superior authority any case in which they have been offered illegal gratification ;

This is for kind

(vii) deterrent and exemplary punishments should be awarded in cases proved in court or in departmental enquiries. In cases of conviction, the public servant concerned should be dismissed and also denied the service benefits ;

According to para 256 of the M
of general circular and standing
part I, fraud and
and all officers
disgrace meet with their
punishment in addition. According
to para 240 of the Manual, if
prosecution results in the
of the officer, departmental
ment will generally be
without further

According to article 267(a)
the M.S.R. removal from public
for misconduct entails forfeiture

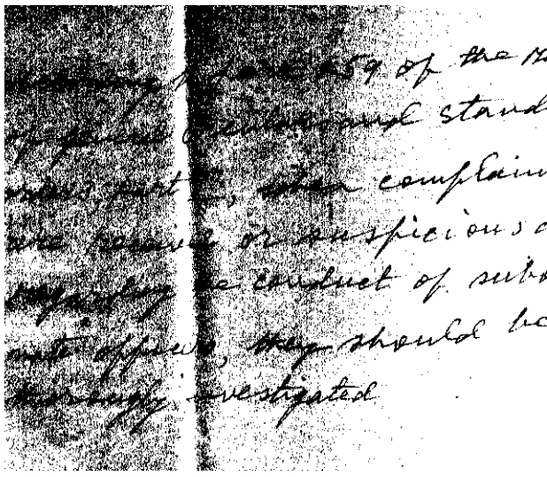
(viii) the results of enquiries in bribery cases ending in punishments should invariably be published in the Gazette;

(ix) rewards may be given for information as to the offer of bribes and as to the transaction effected and such a policy widely notified;

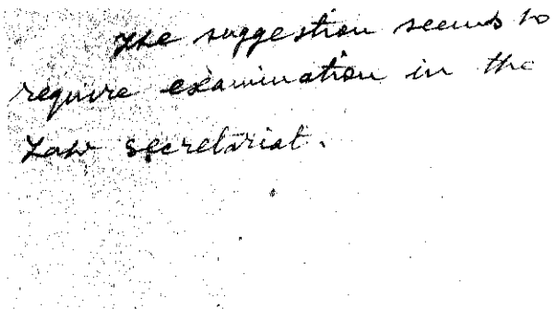
262 and
to Paras 263 of the
General circular
ling orders, part I
als are required to
in the gazette. But
~~to the~~ dismissal
officer should not
the notification even
which conviction
e in a criminal co

This is for kind consideration.

(x) a direction to all Heads of Departments should be given that if five respectable persons were to join in making a written complaint in regard to a case in which they have no personal interest either directly or indirectly, alleging corrupt conduct on the part of any official of any department, the departmental superior of the official complained against should make a full investigation into the case, and if corrupt conduct is suspected, take disciplinary action against the Government Servant concerned;



(xi) where there is any suspicion that a bribe has been given under pressure, the bribe-giver should be exempted from prosecution, or in other cases in which Government or the Special Officer or the Head of the Department thinks fit;



(xii) a Vigilance Committee of an advisory character may be set up in each District with the Deputy Commissioner as Chairman, and the District Superintendent of Police, the District Board President and two non-officials elected by the District Board as members, to co-operate with the Special Officer's department, and in particular to conduct propaganda against the giving of bribes by the public and against corruption in general ;

The suggestion is for [illegible] consideration.

(xiii) a Central Vigilance Committee of an advisory character for the State may also be constituted with the Special Officer as Chairman and two senior Heads of Departments, two elected L. C. Members and four elected R. A. Members as members ;

The suggestion is for kind consideration.

Office Note.

(xiv) a system of audit independent of the Executive Government should be instituted to scrutinise Post-War expenditure with a view to avoid leakages; and

... a suggestion ... examination in the Finance ... Secretariat.

(xv) necessary legislation may be undertaken to compel Banks, Joint-stock Companies, Insurance Companies, etc., to disclose information regarding deposits and other transactions of Government servants with them.

This has to be considered ... in the Law Secretariat in the first instance.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read--

G.O.No.M.1477-538/G.M.33-45-1 dated the 21st August 1945 constituting a Special Committee to consider and report upon the desirability of taking further steps in the matter of putting down corruption in the Public services.

Letter No. 1400 AC 145/8 dated 14 March 1946 from the Secretary of the Anti Corruption Measures Investigation Committee forwarding the report of the ~~said~~ committee.

O R D E R No. 52-112 /C.B. 29-46-1. dated 4/7/46.

In response to repeated representations made in the two Houses of Legislature and elsewhere, a Committee under the Chairmanship of Rajamantradhurina Sir Albion Rajkumar Banerji C.S.I.,C.I.E., was constituted to examine the desirability of taking further steps ~~(in the matter of~~ for putting down corruption in the public services. The Committee have gone exhaustively into the question and have submitted an interesting ~~and able~~ report which covers all aspects of the matters under consideration. Government desire to place on record their appreciation of the thoroughness and care with which the report has been prepared under the able direction of Sir Albion Banerji and the rother members of the Committee.

The measures recommended by the Committee are of two categories - statutory and administrative. The most important recommendations under the former head are,

(1) making offences under Sections 161, 164 and 165 Indian Penal Code cognizable

(2) Shifting the burden of proving innocence on to the accused in cases in which money has passed between a public servant and a member of the public with whom he has any official relations.

(3) Amendment of the penal provisions of Sections 161, 164 and 165 of the I.P.C. to permit the imposition of additional fines at least equivalent to the amount obtained by means of the offences.

Among the administrative measures recommended the most important is the creation of the post of a special officer for Efficiency Audit and Anti-corruption measures for a period of five years in the first instance. This officer will have two branches working under him; one an Efficiency Audit Branch and the other an Anti-corruption Branch each of which will be under the immediate charge of an officer of Status not less than that of a Deputy Commissioner. The Committee have ~~further~~ also given certain suggestions as to the duties of the Special Officer on the side of Efficiency Audit as well as of Anti-corruption measures. With a view to enable him to carry out these duties effectively they have proposed to

invest him with the powers mentioned in para 144 of the report. The procedure to be adopted during investigation has also been indicated. In addition the Committee have recommended several other measures of an administrative nature the most important of which are an investigation into pay and allowances of the subordinate ranks in the public services, formation of central and district vigilance Committees and the creation of an Audit department independent of the executive Government to scrutinize postwar expenditure with a view to avoid leakages.

It will be evident from the resume above that many of the recommendations of the Committee involve drastic changes both in law and practice which require thorough examination. At the same time Government agree that it is necessary to set up immediately a separate agency which will be in charge of a system of Efficiency Audit and of Anti-corruption measures. They are therefore pleased to sanction the appointment of a Special Officer with the designation "Director, Efficiency Audit". ~~a Special Officer for Efficiency Audit and Anti corruption measures on a salary of Rs. 1500-50-1800.~~ ~~1600-50-1700.~~ ~~The appointment will in the first instance be for a period of three years.~~ Separate orders will issue regarding the powers and duties of the Special officer, the staff to work under him and regarding the other recommendations made by the Anti-corruption measures investigation

Committee.

~~Copy~~ (Areas will also apprise

Secretary to ~~Government~~,
Education ~~Department~~.

To Separately regarding the posting of a special officer to take charge also will send proposals for the staff required by him.

This does not arise for the present

Copy to for

Comptr
M. J. and Bangalore Pass Table

~~Copy~~ * Comptr with his remarks
Hy Hdqrs for Director
that the salary of ~~the~~ Efficiency Audit
will be Rs 1600 - 50/1 - 1700 per measure.

A

A For orders
Yes
Whether this memo may issue along with the Norms appg. one Appaji Gowda as Director, E. A
CJA 4/7

G. O.

Government of His Highness the Maharaja of Mysore.

General and Revenue Departments.

G. O. No. 52 112 -C. B. 29-46-1, dated 4th July 1946.

Director, Efficiency Audit.

Sanctions the creation of the post of for Efficiency Audit and Anti-Corruption Measures in the State.

Read

G. O. No. A. 1477-538 C. M. 33-45-1 dated the 21st August 1945, constituting a Special Committee to consider and report upon the desirability of taking further steps in the matter of putting down corruption in the Public Services.

Letter No. 1100 A. C. I 45-13, dated 1st 4th March 1946, from the Secretary of the Anti-Corruption Measures Investigation Committee, forwarding the report of the Committee.

Order No. 52-112—C. B. 29-46-1, dated Bangalore, the 4th July 1946.

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N. S. HIRANNAYYA,
Secretary to Government,
Education Department.

To—The Heads of Departments.
The Deputy Commissioners of Districts
The Comptroller to Government through the Financial Secretariat.
The Compiler, *Mysore Gazette.*

PRESS TABLE.

EXD.—T. N.

WD 2052—GPB—540—18-8-46